

REMARKS

This application has been reviewed in light of the Office Action dated November 12, 2008. Claims 1 and newly-added Claims 9-13 are presented for examination, of which Claims 1 and 11 are in independent form. Claim 1 has been amended to define still more clearly what Applicant regards as his invention. Claims 7 and 8 have been cancelled without prejudice of disclaimer of subject matter, and will not be mentioned further. Favorable reconsideration is requested.

In the outstanding Office Action, Claim 1 was rejected under 35 U.S.C. § 103(a) as being obvious from the cited CIPA white paper in view of U.S. Patent Application Publication 2003/0043204 (Aguilera et al.).

Independent Claim 1 is directed to a camera which is capable of directly transmitting a digital image to a printer. The claimed camera comprises an obtaining unit, that obtains capability information from the printer. The capability information includes information indicating what type of trimming print function the printer has. Also provided is a determination unit that determines, based on the capability information, whether the printer has at least one of a first and a second trimming print function that are different from each other. A user interface selector (a) selects a first user interface that cannot control both the first and the second trimming print function, if the determination unit determines that the printer has neither the first nor the second trimming print function, (b) selects a second user interface for controlling the second trimming print function, if the determination unit determines that the printer has the second trimming print function but not the first trimming print function, (c) selects a third user interface for controlling the first trimming print function if the determination unit determines that the printer has the

first trimming print function but not the second, and (d) selects a fourth user interface for controlling the first and the second trimming print functions if the determination unit determines that the printer has both the first and the second trimming print functions. A display unit (a) displays to the user of the camera the interface that has been selected by the selector unit (that is, the first interface if the user interface selector selects the first user interface, the second user interface if the user interface selector selects the second user interface, etc.).

Support for the new language in Claim 1 is found, for example, in paragraphs [0063] to [0075] of U.S. Patent Application Publication 2004/0021901 (the published version of the present application). (Also, support for the newly-added claims is found, for example, in paragraphs [0068], [0069] and [0073] to [0075] thereof.)¹

Applicant points to the determination unit, the user interface selector unit and the display unit. These features are not believed to be taught or suggested by anything that has been found or pointed out in *CIPA* or *Aguilera*. In particular, nothing in those documents is seen to suggest providing four interfaces, corresponding respectively to four possible combinations of available functions, and selecting one from among those interfaces to be used and displayed in a given instance. For at least that reason, Applicant submits that Claim 1 is allowable over *CIPA* and *Aguilera*, taken separately or in any possible combination.

^{1/} It is to be understood that the scope of the claims is not limited by the details of this or any other embodiment that may be referred to.

Independent Claim 11 is a method claim corresponding to apparatus Claim 1, and is believed to be patentable for at least the reasons discussed above in connection with the latter claim.

A review of the other art of record has failed to reveal anything that, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as applied against the independent claims herein. Therefore, those claims are respectfully submitted to be patentable over the art of record.

The other claims in this application depend from one or the other of the independent claims discussed above, and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, individual consideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and allowance of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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